

OPEN RECORDS REQUEST

To the City of Pauls Valley:

This is an open records request pursuant to the Oklahoma Open Records Act (51 O.S. 24A).

1. Please produce a copy of any internal City policy or procedure, or any ordinance which prohibits employment discrimination or sexual harassment against City employees or job applicants.
2. Please produce a copy of any City ordinance which protects specific groups or individuals (for example, age, race, sex/gender, religion, national origin, disability, sexual orientation, or gender identity).
3. Please indicate whether the City Code is available on the Internet. **NO**

For convenience, cost effectiveness, and in order to document full compliance with the Open Records Act, I request that records be provided via e-mail. However, if e-mail is not a feasible option, I hereby accept any reasonable and necessary copying or postage charge not to exceed \$10.00.

If you are not the appropriate person to handle this request, please forward this message to the appropriate City employee.



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- G. Determine the necessity for and assignment of overtime in compliance with appropriate related legislation and/or court rulings and policies.
- H. Determine the scope, priority, and amount of budget allocations.

SECTION 200 - EMPLOYMENT PRACTICES AND PROCEDURES

Department Heads shall participate in the functions of management. This includes, but is not limited to, the duty to assist the City Manager in selecting, hiring, assigning duties, supervising, conducting merit evaluations, promoting, issuing oral and written reprimands and assisting the City Manager in the suspension, demotion, or dismissal of employees.

201 - EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION POLICY

- A. The City employs persons who are best fitted by skill, ability, experience, and education to fill specific jobs. No discrimination in personnel decisions of whatever nature shall be made because of age, sex, race, color, creed, national origin, disability status or other protected status provided employees and applicants are qualified and can perform the essential functions of the job with or without reasonable accommodation and do not pose a direct threat to the health and safety of fellow employees, the public, etc. The City shall take positive actions to abide by this policy regarding all personnel decisions, including decisions affecting recruiting, hiring, transfers, work assignments, benefits, training, on-the-job treatment, promotion, termination and rehire rights.
- B. Advancement is and shall be based entirely on the individual's qualifications, performance/merit, ability/fitness and potential for promotion. If at any time, two persons have identical qualifications as described above, length of City employment will be the determining factor.
- C. For purpose of this Manual, reference to the masculine tense will also hold true for both males and females.

202 - EMPLOYEE CONDUCT/HARASSMENT

All employees have the right to work in an environment free from all forms of conduct which can be considered discriminatory, prejudicial, offensive, harassing, coercive, or disruptive. The law specifically prohibits unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

Submission to such conduct is made, explicitly or implicitly, a term or condition of employment.

Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The City's position is that sexual harassment, whether committed by supervisory or nonsupervisory personnel, is a form of misconduct which will not be tolerated. Such misconduct may result in disciplinary action, up to and including dismissal.

It is the responsibility of Department Heads and supervisors to make sure that their Department is in full compliance with the policy and associated legal guidelines. See Sexual Harassment/Hostile Environment Posting and Supervisory By-Pass policy in Addendum A.

Where appropriate, employees who have complaints should report them to their Department Head or supervisor. If this is not appropriate, employees are urged to follow the steps in the Supervisory By-Pass Policy or seek assistance of the City Manager or City Clerk. After notification of the employee's complaint, a confidential investigation will immediately be initiated to gather all facts about the complaint. According to City policy, no retaliation or coercion will ensue as a result of filing a claim or testifying about an alleged incident.

203 - DRUG-FREE WORKPLACE AND ALCOHOL POLICY

The City has a mandate to provide a variety of services to the community. An efficient and productive work force is vital to carry out that mandate. The public has a reasonable right to expect persons employed by the City to perform their duties free from the effects of drug or alcohol use. Furthermore, employees of the City have a reasonable right to work in an environment free from the effects of drug use. The City has a reasonable right to expect employees to report for work fit for duty, free from the effects of drugs. The primary objective of the policy is to provide a safe and healthful work environment for all employees, and thereby provide the highest level of services to the public. See Addendum B for a copy of the City's Drug-Free Workplace Policy.

The City may institute a policy to mandatorily refer persons to a rehabilitation program as a condition of employment or may suggest those with performance/work habits problems, but who have not tested positively, to participate in a program. Such suggestion shall not be mandatory but will be documented. Further guidelines concerning this offer to participate and constructive discipline is found in the Guidelines for the Administration of Discipline.

To: All Employees
From: , City Manager
Date: , 1992
Subject: Sexual Harassment/Offensive Work Environment Policy

FOR POSTING ON ALL CITY BULLETIN BOARDS AND GENERAL DISTRIBUTION

Sexual harassment is a form of sex discrimination and is unlawful under Title VII of the 1964 Civil Rights Act. Sexual harassment is defined as deliberate or repeated behavior of a sexual nature which is unwelcome. It can include verbal comments, suggestions, jokes, or pressure for sexual favors. It can include non-verbal behavior such as suggestive looks; and physical behavior such as pats, squeezes, brushing against someone, or other sexual contacts. It is sexual harassment when submission to or rejection of such advances can either positively or negatively affect an employee's advancement, can positively or negatively impact an employee's present position, or if it causes an intimidating, hostile or offensive work environment.

Sexual harassment can occur between a supervisor and subordinate, among fellow employees or with non-employees and employees in the work environment. Sexual harassment negatively affects morale and job performance. It results in increased absenteeism, turnover, and a loss of productivity. It is inappropriate, offensive, illegal, and will not be tolerated.

Employees who experience sexual harassment or who witness sexual harassment in the work place should immediately bring it to the attention of the proper supervisory person who can stop the action. Normally this would include following the chain of command unless the person in the supervisory chain is the person doing the harassing. An employee is encouraged to seek quick and proper response which may include bringing the complaint to the attention of the City Manager or City Clerk.

Complaints will be investigated quickly and cases of sexual harassment will be dealt with promptly. Any employee who sexually harasses another employee will be disciplined up to and including termination, depending on the seriousness of the infraction and the facts surrounding the case.

The City will also ensure that there is no intimidating, hostile, or offensive work environment due to one's race, national origin, sex, religion, physical or mental disability, or other protected class and will take proper action up to and including termination if it persists.

Employees filing complaints of harassment or discrimination or testifying during any level of the investigation or during any

administrative hearing will not be retaliated against for such statements made in good faith.